

Hoffman, Jamie

From: Jarvis, Ryan on behalf of Rocheleau, Lisa
Sent: March 12, 2019 10:33 AM
To: Quinn, Robyn; Clairoux, Lara; Jacques, Caroline; Dakalbab, Talal
Cc: LeFrank, Andrew; Little, Sarah; Robert, Stephanie
Subject: March 11, 2019 - China Removal Report
Attachments: March 11 2019 - China Removal Report.xlsx

Good morning,

Please find attached and below the updated list of removals to or transiting China.

March 11 2019 - China Removal Report.xlsx (

One new escorted removal have been scheduled for

New information has been highlighted in yellow.

Thank you/merci!

Ryan Jarvis for Lisa Rocheleau
Senior Program Advisor, Enforcement & Intelligence Operations Directorate
Operations Branch
Canada Border Services Agency / Government of Canada
Ryan.Jarvis@cbsa-asfc.gc.ca / Tel: 613-948-1803
191 Laurier Avenue West, Ottawa ON K1A 0L8

Conseiller principal de programme, Direction des opérations relatives à l'exécution de la loi et au renseignement
Direction générale des opérations
Agence des services frontaliers du Canada / Gouvernement du Canada
Ryan.Jarvis@cbsa-asfc.gc.ca / Tél : 613-948-1803
191, avenue Laurier Ouest, Ottawa (Ontario) K1A 0L8

China Removal Report / Rapport des renvois vers la Chine

Date	Destination country/ Pays de destination	CBSA Region / Région de l'ASFC	Number of Removals /	Criminality / Criminalité	Escorted / Escorté
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	Hong Kong	GTAR	1	Criminal	Unescorted
-2019	Hong Kong	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Criminal	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-19	China	PAC	1	Non-Crim	Unescorted
-2019	China	QUE	1	Criminal	Unescorted
-19	China	GTAR	1	Non-Crim	Unescorted
-19	China	GTAR	1	Non-Crim	Unescorted
-19	China	GTAR	1	Non-Crim	Unescorted
-19	China	GTAR	1	Non-Crim	Unescorted
-19	China	GTAR	1	Crim	Unescorted
-19	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted
-2019	China	GTAR	1	Non-Crim	Unescorted

China Removal Report / Rapport des renvois vers la Chine

2019	China	GTAR	1	Non-Crim	Unescorted
2019	China	GTAR	1	Non-Crim	Escorted
2019	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	PAC	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	Bangladesh	PAC	1	Criminal	Escorted

China Removal Report / Rapport des renvois vers la Chine

Name / Nom	UCI / IUC	Executed Removal (Y/N) / Renvoi	Issues encountered / Problèmes rencontrés
			Date changed
			Airline refused to board

[illegible]

2019	China	GTAR	1	Not Determine
19	China	GTAR	1	Non-Crim
19	China	PAC	1	Non-Crim
19	China	PAC	1	Non-Crim

Escorted / Escorté	Name / Nom	UCI / IUC	Executed Removal (Y/N) / Renvoi complété (O/N)	Issues encountered / Problèmes rencontrés
Unescorted				n/a
Unescorted				
Unescorted				n/a
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Unescorted				None
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Unescorted				
Escorted				None
Escorted				None
Unescorted				
Unescorted				
Escorted				None
Unescorted				None
Unescorted				None
Unescorted				None
Unescorted				None
Unescorted				None
Unescorted				
Unescorted				
Unescorted				None
Unescorted				None
Unescorted				None
No				
No				
Unescorted				
Unescorted				

Unescorted
Unescorted
Unescorted
Unescorted

No issues
No issues

Hamelin, Valerie

From: Hubers.Mary-Ann <Mary-Ann.Hubers@cic.gc.ca>
Sent: Friday, March 8, 2019 5:33 PM
To:
Cc: .eFrank, Andrew
Subject: RE: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Following up on your request below.

They became PRs. You may wish to contact CBSA if you want more information on the approach to members of the organization in question.

Mary-Ann

Mary-Ann Hubers

Director General, Case Management Branch
Immigration, Refugees and Citizenship Canada / Government of Canada
Mary-Ann.Hubers@cic.gc.ca / Tel: 613-437-7581

Directrice Générale, Gestion des cas
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
Mary-Ann.Hubers@cic.gc.ca / Tél.: 613-437-7581

From:
Sent: March 4, 2019 5:02 PM
To: Hubers.Mary-Ann <Mary-Ann.Hubers@cic.gc.ca>
Cc: LeFrank, Andrew <Andrew.LeFrank@cbsa-asfc.gc.ca>
Subject: RE: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Thanks. Not urgent but if we could get anything by the end of the week that would be great. I don't really see anything suspicious here but since they asked I said I would look into it. I realize you don't have much to work with. Thanks very much.

From: Hubers.Mary-Ann [<mailto:Mary-Ann.Hubers@cic.gc.ca>]
Sent: Monday, March 04, 2019 4:41 PM
To:
Cc: LeFrank, Andrew
Subject: RE: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

I hadn't seen the article and don't have any background. I will look into it and get back to you. Timeline?

Mary-Ann

Mary-Ann Hubers

Director General, Case Management Branch
Immigration, Refugees and Citizenship Canada / Government of Canada
Mary-Ann.Hubers@ic.gc.ca / Tel: 613-437-7581

Directrice Générale, Gestion des cas
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
Mary-Ann.Hubers@ic.gc.ca / Tél.: 613-437-7581

From:

Sent: March 4, 2019 4:31 PM

To: Hubers.Mary-Ann <Mary-Ann.Hubers@ic.gc.ca>

Cc: LeFrank, Andrew <Andrew.LeFrank@cbsa-asfc.gc.ca>

Subject: FW: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Hi

This article was flagged to us by PMO who were asking if we knew anything more about it. Would you be able to provide any background?

Thanks very much.

Privy Council Office | Bureau du Conseil privé

From: News / Nouvelles (PCO/BCP)

Sent: Monday, March 04, 2019 4:25 PM

Subject: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

South China Morning Post

Beginning in autumn 2013, over the span of 10 months, three Chinese citizens applied separately to immigrate to Canada.

They applied variously under a skilled-worker scheme and a provincial programme favoured by wealthy businesspeople. Two planned to move to Toronto, one to Saint John in New Brunswick. Their paperwork joined the tens of thousands of Canadian immigration applications being processed at any given time.

Besides nationality, the only thing the three applicants all appear to have had in common was that they or their spouses worked for Chinese telecoms giant Huawei Technologies.

Yet somehow their applications all ended up on the desk of the same Canadian immigration officer in Hong Kong, repeatedly identified in documents obtained by the South China Morning Post by the initials JW and the numerical code 00237.

And in the space of just four days in 2016, the documents show, JW00237 told the trio their applications would be rejected, on the grounds that they or their spouses were believed to be spies.

Hong Kong-based Canadian immigration lawyer Jean-Francois Harvey, who eventually represented all three applicants, once believed the stunning accusations were the work of JW00237 acting alone as a “rogue” agent.

But a different light is now being cast on JW00237’s efforts, as details emerge of a complex, years-long effort by the US to target Huawei – culminating in Canada’s arrest of chief financial officer Sabrina Meng Wanzhou on December 1 at US request.

Harvey now suspects a secret and systematic effort to target Huawei employees as spies may have ensnared his clients.

Newly obtained documents show that JW00237 was handling two of the otherwise unrelated Huawei applications simultaneously, updating their files within about half an hour of each other.

All three cases had been initiated by different officers, the documents show.

The three cases only came to light because the applicants happened to use the same Chinese immigration consultant, who noticed the refusal pattern and forwarded their cases to Harvey, and all applicants decided to challenge their rejections.

How many, if any, other Huawei staff have been similarly targeted, and whether that process continues, is unknown.

In a statement, Huawei said it had no record of employees being denied Canadian immigration approval. A “significant number” of successful applications over the years by Huawei staff “strongly reaffirms our belief that this matter has nothing to do with Huawei”.

But the Post has confirmed the identities of the trio targeted by JW00237, and that one still works for Huawei.

For the three applications to have randomly ended up for consideration by the same immigration officer within a few days would have been wildly unlikely, Harvey said.

“At that time, they have thousands and thousands of [immigration] cases in the inventory,” said Harvey. “How coincidental can it be?”

And a former Canadian immigration officer, who requested anonymity, said that staff did not normally have individual discretion to choose which cases they handled, making it “very unlikely” the cases randomly ended up with the same officer, or that the officer was acting without permission.

“It’s not possible, not likely, that one guy randomly has three Huawei cases fall on his desk ... there has to be some kind of discussion [with] a supervisor,” said the former Hong Kong office supervisor.

The Post first reported on Harvey’s clients in 2016. In 2017 Canada backed down in the face of an appeal by Harvey. His clients – who strongly denied being spies – were allowed to immigrate to Canada.

But the original designation of the Huawei trio as spies was an extraordinary step; in his career as one of Hong Kong’s top immigration lawyers, Harvey had handled more than 12,000 Canadian immigration applications, but had never before seen a client barred on the grounds of suspected espionage.

The Post knows the identities of the Huawei-linked applicants but has agreed to maintain their anonymity under the terms of discussions with Harvey and others familiar with their situation.

The Post – which does not suggest that Harvey’s clients had any link to espionage – has also agreed to no longer attempt to directly contact the applicants, who are said to fear the reaction by Huawei to their broaching such a sensitive subject with the media.

Client A applied to move to Canada on July 3, 2014, as a skilled worker. The application proceeded normally until March 18, 2016, when the client received an emailed letter from JW00237, based in the immigration section of Canada’s Consulate-General in Quarry Bay, Hong Kong, saying the officer was preparing to reject their application.

“[There] are reasonable grounds to believe that you are a member of the inadmissible class of persons described in section 34(1)(f) of the Immigration and Refugee Protection Act,” the so-called “procedural fairness” letter said.

Section 34(1)(f) refers to people who belong to an organisation engaged in espionage, government subversion or terrorism.

Then on March 21, Client B and Client C both received similar letters, the latter’s flagging the spouse who worked for Huawei as the suspected spy.

Client B had applied to immigrate on November 29, 2013, while Client C’s application had gone in 10 months later, on September 22, 2014.

Yet time stamps on immigration documents obtained recently by the Post show that Clients B and C’s applications were updated on the same afternoon in 2016 by JW00237 just 37 minutes and eight seconds apart.

The Post asked Immigration, Refugees and Citizenship Canada (IRCC) for a general description of how applications are processed and whether individual officers had discretion to choose cases.

Cases were typically handled in the order they were received, a spokesperson said.

“In general, managers assign files to decision-making officers to process and they are processed on a first-in, first-out basis,” they said.

Between the first and the last of the Huawei-linked applications being submitted, 87,379 other Canadian immigration cases were set in motion, according to their sequential case numbers.

When asked specifically about the Huawei cases and how they all ended up with JW00237, a different IRCC spokesperson said in a statement “that in order to maximise efficiency specific files are sometimes assigned to the same immigration officer for assessment”.

The statement said this was not a comment about any specific cases.

The spokesperson said that “for privacy reasons and to ensure the safety of its employees” IRCC could not identify JW00237.

The agency did not respond when asked whether other Huawei staff had been flagged as spies, or whether IRCC had specific practices in place for the handling of Huawei employees.

‘The only logical conclusion is that the employer was targeted’

A timeline of furtive US efforts to target Huawei has only recently emerged, with the release in January of American indictments against the firm and Meng, leading up to her December arrest in Vancouver.

There she remains on C\$10 million (US\$7.5 million) bail while awaiting an extradition hearing; she is due back in court on Wednesday.

As far back as July 2007, a New York grand jury said in a January 24 indictment, the FBI interviewed Huawei's billionaire founder Ren Zhengfei, Meng's father, quizzing him in New York about the company's dealings with Iran.

The indictment does not name Ren, but instead refers to "Individual-1" as the founder of Huawei.

"During the interview, among other things, Individual-1 falsely stated ... that HUAWEI did not conduct any activity in violation of US export laws," the indictment says.

Then, in early 2014, Meng was stopped at John F. Kennedy International Airport in New York; before she was allowed on her way, US agents fossicked through one of her electronic devices and allegedly found evidence of a file relating to the way the company did business in Iran.

Huawei was already under public scrutiny: in October 2012, a US House intelligence committee concluded the firm posed a national security threat and should be blocked from US acquisitions, takeovers, or mergers.

That triggered a wave of discussion in allied countries about the wisdom of doing business with Huawei.

But the indictments revealed that a parallel effort against Huawei had also been initiated by US law enforcement and intelligence officials, a pursuit that casts the treatment of Harvey's three former clients in a new light.

The Canadian action against the three would-be immigrants – who applied around the same time Meng appeared on the FBI radar – represented another secret level of attention: direct accusations of espionage against specific individuals.

Canada and the US are part of the so-called "five eyes" intelligence-sharing network of Western nations, along with Britain, Australia and New Zealand.

Meanwhile, a Chinese sales director of Huawei and a Polish former intelligence agent were arrested in Poland last month on suspicion of spying.

Lawyer Harvey said the treatment of his clients was "very, very intriguing".

"That these three cases, at three different stages of processing, different programmes, end up on the same person's desk at the same time, the same officer, out of thousands of cases," he said.

"What are the chances? Does the processing system of Canada immigration allow one officer alone to say, oh, I've got one Huawei [employee], I want others. I don't think so. I don't think the system is like this."

The former Canadian immigration supervisor agreed.

"Files are distributed kind of randomly" although a supervisor could allow an officer to assess specific applications in which a pattern had been detected. "It couldn't be the case [though] where an officer picked them all out by themselves ... it would be approved by someone above them."

He said any visa refusal – let alone a series of unusual ones – would expose a "rogue" officer to scrutiny.

"Any time a visa officer makes a controversial decision, a refusal decision, he has to realise this is probably something that will come up. There's a good chance the client will lawyer up and contest the decision and everyone sees what you have done," the ex-officer said.

"For this officer to 'go rogue', and get all the Huawei cases [without approval]? It's very risky ... his supervisor would ask, 'hey, how did you get all these Huawei cases?'"

Harvey spoke of his growing suspicion that the targeting of the trio was systematic the day after the indictments against Huawei and Meng were released last month.

"The only logical conclusion is that the employer was indeed targeted," said Harvey in a subsequent email, noting the huge number of other cases separating the applicants, and adding that this was "now clear".

Harvey said in the earlier interview that if other Huawei-linked applicants decided not to challenge the same sort of accusations levelled at his clients, then these would likely remain secret.

To rebut the accusations, Harvey said he simply provided signed statements from his clients that they were not spies. He declined to provide the statements, citing lawyer-client privilege.

A different Post source directly familiar with Harvey's clients said that although all denied any involvement in espionage, Client B believed "there could very well be some truth to the allegations [about spying by Huawei]".

The source depicted an employee fearful of identification, because going public with the sensitive situation would offend Huawei; after becoming aware of the other two applicants' cases, Client B contacted them and urgently persuaded them not to directly communicate with the Post.

An interview with Client C and the spouse was called off a few hours before it was scheduled, apparently as a result of Client B's lobbying.

"He's very, very concerned, very, very reluctant to have this story come out," said the source. "Why? Because he said that Huawei has the means and the capability to find out information and he really fears [that his] identity gets out."

Client B described himself to the source as being personally familiar with Huawei founder Ren, although the Post has not been able to confirm this.

"It just seems so ironic that these three employees are being accused of being part of an organisation that has been accused of doing [espionage].

"These employees themselves have not been involved in it, yet based on what this executive told me, there could very well be some truth to the allegations [about Huawei]," the source said.

"Where there's smoke there's fire. So it's a little bit ironic. No, they're not, individually they're not involved in any of this stuff. But based on what he was telling me, maybe, yes [Huawei is]."

In its statement, Huawei said it had "well-established Canadian business and research operations in Canada since 2008".

"We have employees travelling between Canada and China regularly with travel visa and work permit approvals issued by the Government of Canada. In addition, over the years, a number of past or retired Huawei employees have successfully immigrated to Canada, with employment at Huawei used as a reference," the firm said.

"Given the positive nature of our working relationship with Immigration, Refugees and Citizenship Canada, the well-established process for managing applications, and the significant number of successful applications over the years, all of this strongly reaffirms our belief that this matter has nothing to do with Huawei."

In accordance with their wishes, conveyed via a third party, the Post has not attempted to directly contact any of the applicants since 2017.

The Post recently requested interviews again, via a different third party, who said that two refused to comment, other than to confirm that they no longer work for Huawei, while one received the request but did not respond.

Retracted accusations and a mystery unresolved

At least one other aspect of the three immigration cases appears unusual – the manner in which they were eventually resolved.

Harvey said the identity and reasoning of JW00237 would have had to be revealed in legal proceedings if the Canadian government had fought his clients' claims of unfair treatment.

But instead, after Harvey submitted his clients' sworn statements that they were not spies – and the Post reported their situation – the government retracted the accusations without comment and approved the applications.

As a result, their cases never went before the public forums of a court or an immigration tribunal hearing.

"If I had to go to federal court then I would have had full access to their files, to see what was wrong," Harvey said.

"But that was the surprising thing in those three cases: there was no correspondence from IRCC [after the sworn statements were made]. Then suddenly, bang ... you can put the visa in the passport."

He added: "As a lawyer, my only concern is my clients' interests. I've got the visas, so I have to stop there."

From Harvey's perspective, the identity of JW00237 and the motivation had become moot. They remain a mystery.

Hamelin, Valerie

From: Hubers.Mary-Ann <Mary-Ann.Hubers@cic.gc.ca>
Sent: Monday, March 4, 2019 5:19 PM
To:
Cc: LeFrank, Andrew
Subject: RE: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Will do my best!

Mary-Ann Hubers

Director General, Case Management Branch
Immigration, Refugees and Citizenship Canada / Government of Canada
Mary-Ann.Hubers@cic.gc.ca / Tel: 613-437-7581

Directrice Générale, Gestion des cas
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
Mary-Ann.Hubers@cic.gc.ca / Tél.: 613-437-7581

From:
Sent: March 4, 2019 5:02 PM
To: Hubers.Mary-Ann <Mary-Ann.Hubers@cic.gc.ca>
Cc: LeFrank, Andrew <Andrew.LeFrank@cbsa-asfc.gc.ca>
Subject: RE: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Thanks. Not urgent but if we could get anything by the end of the week that would be great. I don't really see anything suspicious here but since they asked I said I would look into it. I realize you don't have much to work with. Thanks very much.

From: Hubers.Mary-Ann [<mailto:Mary-Ann.Hubers@cic.gc.ca>]
Sent: Monday, March 04, 2019 4:41 PM
To:
Cc: LeFrank, Andrew
Subject: RE: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

I hadn't seen the article and don't have any background. I will look into it and get back to you. Timeline?

Mary-Ann

Mary-Ann Hubers

Director General, Case Management Branch
Immigration, Refugees and Citizenship Canada / Government of Canada
Mary-Ann.Hubers@cic.gc.ca / Tel: 613-437-7581

Directrice Générale, Gestion des cas

Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada
Mary-Ann.Hubers@cic.gc.ca / Tél.: 613-437-7581

From:

Sent: March 4, 2019 4:31 PM

To: Hubers.Mary-Ann <Mary-Ann.Hubers@cic.gc.ca>

Cc: LeFrank, Andrew <Andrew.LeFrank@cbsa-asfc.gc.ca>

Subject: FW: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Hi Mary-Ann,

This article was flagged to us by PMO who were asking if we knew anything more about it. Would you be able to provide any background?

Thanks very much.

Privy Council Office | Bureau du Conseil privé

From: News / Nouvelles (PCO/BCP)

Sent: Monday, March 04, 2019 4:25 PM

Subject: SCMP: Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

Who is JW00237? The secret Canadian campaign to ban Huawei's Chinese 'spies', and the anonymous official at its heart

South China Morning Post

Beginning in autumn 2013, over the span of 10 months, three Chinese citizens applied separately to immigrate to Canada.

They applied variously under a skilled-worker scheme and a provincial programme favoured by wealthy businesspeople. Two planned to move to Toronto, one to Saint John in New Brunswick. Their paperwork joined the tens of thousands of Canadian immigration applications being processed at any given time.

Besides nationality, the only thing the three applicants all appear to have had in common was that they or their spouses worked for Chinese telecoms giant Huawei Technologies.

Yet somehow their applications all ended up on the desk of the same Canadian immigration officer in Hong Kong, repeatedly identified in documents obtained by the South China Morning Post by the initials JW and the numerical code 00237.

And in the space of just four days in 2016, the documents show, JW00237 told the trio their applications would be rejected, on the grounds that they or their spouses were believed to be spies.

Hong Kong-based Canadian immigration lawyer Jean-Francois Harvey, who eventually represented all three applicants, once believed the stunning accusations were the work of JW00237 acting alone as a "rogue" agent.

But a different light is now being cast on JW00237's efforts, as details emerge of a complex, years-long effort by the US to target Huawei – culminating in Canada's arrest of chief financial officer Sabrina Meng Wanzhou on December 1 at US request.

Harvey now suspects a secret and systematic effort to target Huawei employees as spies may have ensnared his clients.

Newly obtained documents show that JW00237 was handling two of the otherwise unrelated Huawei applications simultaneously, updating their files within about half an hour of each other.

All three cases had been initiated by different officers, the documents show.

The three cases only came to light because the applicants happened to use the same Chinese immigration consultant, who noticed the refusal pattern and forwarded their cases to Harvey, and all applicants decided to challenge their rejections.

How many, if any, other Huawei staff have been similarly targeted, and whether that process continues, is unknown.

In a statement, Huawei said it had no record of employees being denied Canadian immigration approval. A "significant number" of successful applications over the years by Huawei staff "strongly reaffirms our belief that this matter has nothing to do with Huawei".

But the Post has confirmed the identities of the trio targeted by JW00237, and that one still works for Huawei.

For the three applications to have randomly ended up for consideration by the same immigration officer within a few days would have been wildly unlikely, Harvey said.

"At that time, they have thousands and thousands of [immigration] cases in the inventory," said Harvey. "How coincidental can it be?"

And a former Canadian immigration officer, who requested anonymity, said that staff did not normally have individual discretion to choose which cases they handled, making it "very unlikely" the cases randomly ended up with the same officer, or that the officer was acting without permission.

"It's not possible, not likely, that one guy randomly has three Huawei cases fall on his desk ... there has to be some kind of discussion [with] a supervisor," said the former Hong Kong office supervisor.

The Post first reported on Harvey's clients in 2016. In 2017 Canada backed down in the face of an appeal by Harvey. His clients – who strongly denied being spies – were allowed to immigrate to Canada.

But the original designation of the Huawei trio as spies was an extraordinary step; in his career as one of Hong Kong's top immigration lawyers, Harvey had handled more than 12,000 Canadian immigration applications, but had never before seen a client barred on the grounds of suspected espionage.

The Post knows the identities of the Huawei-linked applicants but has agreed to maintain their anonymity under the terms of discussions with Harvey and others familiar with their situation.

The Post – which does not suggest that Harvey's clients had any link to espionage – has also agreed to no longer attempt to directly contact the applicants, who are said to fear the reaction by Huawei to their broaching such a sensitive subject with the media.

Client A applied to move to Canada on July 3, 2014, as a skilled worker. The application proceeded normally until March 18, 2016, when the client received an emailed letter from JW00237, based in the immigration section of Canada's Consulate-General in Quarry Bay, Hong Kong, saying the officer was preparing to reject their application.

"[There] are reasonable grounds to believe that you are a member of the inadmissible class of persons described in section 34(1)(f) of the Immigration and Refugee Protection Act," the so-called "procedural fairness" letter said.

Section 34(1)(f) refers to people who belong to an organisation engaged in espionage, government subversion or terrorism.

Then on March 21, Client B and Client C both received similar letters, the latter's flagging the spouse who worked for Huawei as the suspected spy.

Client B had applied to immigrate on November 29, 2013, while Client C's application had gone in 10 months later, on September 22, 2014.

Yet time stamps on immigration documents obtained recently by the Post show that Clients B and C's applications were updated on the same afternoon in 2016 by JW00237 just 37 minutes and eight seconds apart.

The Post asked Immigration, Refugees and Citizenship Canada (IRCC) for a general description of how applications are processed and whether individual officers had discretion to choose cases.

Cases were typically handled in the order they were received, a spokesperson said.

"In general, managers assign files to decision-making officers to process and they are processed on a first-in, first-out basis," they said.

Between the first and the last of the Huawei-linked applications being submitted, 87,379 other Canadian immigration cases were set in motion, according to their sequential case numbers.

When asked specifically about the Huawei cases and how they all ended up with JW00237, a different IRCC spokesperson said in a statement "that in order to maximise efficiency specific files are sometimes assigned to the same immigration officer for assessment".

The statement said this was not a comment about any specific cases.

The spokesperson said that "for privacy reasons and to ensure the safety of its employees" IRCC could not identify JW00237.

The agency did not respond when asked whether other Huawei staff had been flagged as spies, or whether IRCC had specific practices in place for the handling of Huawei employees.

'The only logical conclusion is that the employer was targeted'

A timeline of furtive US efforts to target Huawei has only recently emerged, with the release in January of American indictments against the firm and Meng, leading up to her December arrest in Vancouver.

There she remains on C\$10 million (US\$7.5 million) bail while awaiting an extradition hearing; she is due back in court on Wednesday.

As far back as July 2007, a New York grand jury said in a January 24 indictment, the FBI interviewed Huawei's billionaire founder Ren Zhengfei, Meng's father, quizzing him in New York about the company's dealings with Iran.

The indictment does not name Ren, but instead refers to "Individual-1" as the founder of Huawei.

"During the interview, among other things, Individual-1 falsely stated ... that HUAWEI did not conduct any activity in violation of US export laws," the indictment says.

Then, in early 2014, Meng was stopped at John F. Kennedy International Airport in New York; before she was allowed on her way, US agents fossicked through one of her electronic devices and allegedly found evidence of a file relating to the way the company did business in Iran.

Huawei was already under public scrutiny: in October 2012, a US House intelligence committee concluded the firm posed a national security threat and should be blocked from US acquisitions, takeovers, or mergers.

That triggered a wave of discussion in allied countries about the wisdom of doing business with Huawei.

But the indictments revealed that a parallel effort against Huawei had also been initiated by US law enforcement and intelligence officials, a pursuit that casts the treatment of Harvey's three former clients in a new light.

The Canadian action against the three would-be immigrants – who applied around the same time Meng appeared on the FBI radar – represented another secret level of attention: direct accusations of espionage against specific individuals.

Canada and the US are part of the so-called "five eyes" intelligence-sharing network of Western nations, along with Britain, Australia and New Zealand.

Meanwhile, a Chinese sales director of Huawei and a Polish former intelligence agent were arrested in Poland last month on suspicion of spying.

Lawyer Harvey said the treatment of his clients was "very, very intriguing".

"That these three cases, at three different stages of processing, different programmes, end up on the same person's desk at the same time, the same officer, out of thousands of cases," he said.

"What are the chances? Does the processing system of Canada immigration allow one officer alone to say, oh, I've got one Huawei [employee], I want others. I don't think so. I don't think the system is like this."

The former Canadian immigration supervisor agreed.

"Files are distributed kind of randomly" although a supervisor could allow an officer to assess specific applications in which a pattern had been detected. "It couldn't be the case [though] where an officer picked them all out by themselves ... it would be approved by someone above them."

He said any visa refusal – let alone a series of unusual ones – would expose a "rogue" officer to scrutiny.

"Any time a visa officer makes a controversial decision, a refusal decision, he has to realise this is probably something that will come up. There's a good chance the client will lawyer up and contest the decision and everyone sees what you have done," the ex-officer said.

"For this officer to 'go rogue', and get all the Huawei cases [without approval]? It's very risky ... his supervisor would ask, 'hey, how did you get all these Huawei cases?'"

Harvey spoke of his growing suspicion that the targeting of the trio was systematic the day after the indictments against Huawei and Meng were released last month.

"The only logical conclusion is that the employer was indeed targeted," said Harvey in a subsequent email, noting the huge number of other cases separating the applicants, and adding that this was "now clear".

Harvey said in the earlier interview that if other Huawei-linked applicants decided not to challenge the same sort of accusations levelled at his clients, then these would likely remain secret.

To rebut the accusations, Harvey said he simply provided signed statements from his clients that they were not spies. He declined to provide the statements, citing lawyer-client privilege.

A different Post source directly familiar with Harvey's clients said that although all denied any involvement in espionage, Client B believed "there could very well be some truth to the allegations [about spying by Huawei]".

The source depicted an employee fearful of identification, because going public with the sensitive situation would offend Huawei; after becoming aware of the other two applicants' cases, Client B contacted them and urgently persuaded them not to directly communicate with the Post.

An interview with Client C and the spouse was called off a few hours before it was scheduled, apparently as a result of Client B's lobbying.

"He's very, very concerned, very, very reluctant to have this story come out," said the source. "Why? Because he said that Huawei has the means and the capability to find out information and he really fears [that his] identity gets out."

Client B described himself to the source as being personally familiar with Huawei founder Ren, although the Post has not been able to confirm this.

"It just seems so ironic that these three employees are being accused of being part of an organisation that has been accused of doing [espionage].

"These employees themselves have not been involved in it, yet based on what this executive told me, there could very well be some truth to the allegations [about Huawei]," the source said.

"Where there's smoke there's fire. So it's a little bit ironic. No, they're not, individually they're not involved in any of this stuff. But based on what he was telling me, maybe, yes [Huawei is]."

In its statement, Huawei said it had "well-established Canadian business and research operations in Canada since 2008".

"We have employees travelling between Canada and China regularly with travel visa and work permit approvals issued by the Government of Canada. In addition, over the years, a number of past or retired Huawei employees have successfully immigrated to Canada, with employment at Huawei used as a reference," the firm said.

"Given the positive nature of our working relationship with Immigration, Refugees and Citizenship Canada, the well-established process for managing applications, and the significant number of successful applications over the years, all of this strongly reaffirms our belief that this matter has nothing to do with Huawei."

In accordance with their wishes, conveyed via a third party, the Post has not attempted to directly contact any of the applicants since 2017.

The Post recently requested interviews again, via a different third party, who said that two refused to comment, other than to confirm that they no longer work for Huawei, while one received the request but did not respond.

Retracted accusations and a mystery unresolved

At least one other aspect of the three immigration cases appears unusual – the manner in which they were eventually resolved.

Harvey said the identity and reasoning of JW00237 would have had to be revealed in legal proceedings if the Canadian government had fought his clients' claims of unfair treatment.

But instead, after Harvey submitted his clients' sworn statements that they were not spies – and the Post reported their situation – the government retracted the accusations without comment and approved the applications.

As a result, their cases never went before the public forums of a court or an immigration tribunal hearing.

"If I had to go to federal court then I would have had full access to their files, to see what was wrong," Harvey said.

"But that was the surprising thing in those three cases: there was no correspondence from IRCC [after the sworn statements were made]. Then suddenly, bang ... you can put the visa in the passport."

He added: "As a lawyer, my only concern is my clients' interests. I've got the visas, so I have to stop there."

From Harvey's perspective, the identity of JW00237 and the motivation had become moot. They remain a mystery.

Hamelin, Valerie

From: Rocheleau, Lisa
Sent: Tuesday, March 5, 2019 10:12 AM
To: Quinn, Robyn; Clairoux, Lara; Dakalbab, Talal; Jacques, Caroline
Cc: LeFrank, Andrew; Robert, Stephanie; Little, Sarah
Subject: March 4, 2019 - China Removal Report
Attachments: March 4 2019 - China Removal Report.xlsx

Hello,

Please find attached and below the updated list of removals to or transiting China.

March 4 2019 - China Removal Report.xlsx

No new removals have been scheduled.

Changes have been highlighted in yellow (Tab 2)

Thank you, Lisa

Lisa Rocheleau
Senior Program Advisor, Operations Branch
Canada Border Services Agency / Government of Canada
Lisa.Rocheleau@cbsa-asfc.gc.ca / Tel: 613-948-0214

Conseillère, Direction générale des opérations
Agence des services frontaliers du Canada / Gouvernement du Canada
Lisa.Rocheleau@cbsa-asfc.gc.ca / Tél: 613-948-0214

China Removal Report / Rapport des renvois vers la Chine

Date	Destination country/ Pays de destination	CBSA Region / Région de l'ASFC	Number of Removals /	Criminality / Criminalité	Escorted / Escorté	Name / Nom	UCI / IUC
2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	Hong Kong	GTAR	1	Criminal			
2019	Hong Kong	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Criminal			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
/2019	China	GTAR	1	Non-Crim			
19	China	PAC	1	Non-Crim			
/2019	China	QUE	1	Criminal			
19	China	GTAR	1	Non-Crim			
19	China	GTAR	1	Non-Crim			
19	China	GTAR	1	Non-Crim			
19	China	GTAR	1	Non-Crim			
19	China	GTAR	1	Crim			
19	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			
2019	China	GTAR	1	Non-Crim			

China Removal Report / Rapport des renvois vers la Chine

2019	China	GTAR	1	Non-Crim	Unescorted
2019	China	GTAR	1	Non-Crim	Escorted
2019	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
19	China	PAC	1	Non-Crim	Unescorted
19	China	GTAR	1	Non-Crim	Unescorted
-19	China	GTAR	1	Non-Crim	Unescorted
-19	Bangladesh	PAC	1	Criminal	Escorted

China Removal Report / Rapport des renvois vers la Chine

[illegible]

China Removal Report / Rapport des renvois vers la Chine

Date	Destination country/ Pays de destination	CBSA Region / Région de l'ASFC	Number of Removals / Nombre des renvois	Criminality / Criminalité	Escorted / Escorté	Name / Nom	UCI / IUC	Executed Removal (Y/N) / Renvoi complété (O/N)
2019	China	PAC	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	PAC	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Criminal	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	PAC	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	PAC	1	Non-Crim	Unescorted			
2019	China	PAC	1	Non-Crim	Unescorted			
2019	China	PAC	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Escorted			
2019	China	GTAR	1	Non-Crim	Escorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Non-Crim	Unescorted			
2019	China	GTAR	1	Criminal	Escorted			
2019	China	PAC	1	Criminal	Unescorted			

	2019	China	GTAR	1	Non-Crim	Unescorted
	2019	China	GTAR	1	Non-Crim	Unescorted
	2019	China	QUE	1	Non-Crim	Unescorted
	2019	India	PAC	1	Non-Crim	Unescorted
	/2019	China	GTAR	1	Non-Crim	Unescorted
	19	China	PAC	1	Non-Crim	Unescorted
	19	China	PAC	1	Non-Crim	Unescorted
	19	China	PAC	1	Non-Crim	Unescorted
	19	China	GTAR	1	Non-Crim	No
	19	China	GTAR	1	Non-Crim	No
	2019	China	GTAR	1	Non-Crim	Unescorted
	2019	China	GTAR	1	Non-Crim	Unescorted
	2019	China	GTAR	1	Not Determined	Unescorted
	9	China	GTAR	1	Non-Crim	Unescorted
	19	China	PAC	1	Non-Crim	Unescorted
	19	China	PAC	1	Non-Crim	Unescorted

Issues encountered / Problèmes rencontrés	Green: waiting for answer / Vert : En attente d'une réponse
	Red: Concluded / Rouge : Renvoi complété
	Black: No show / Noir : Pas présenté
n/a	
n/a	
None	
None	
None	
None	
None	

None	
None	
None	
None	
None	
None	
No issues	
No issues	